

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

QUICKEN LOANS, INC.,

Plaintiff,

vs.

MARVA BROOKS, *et al.*,

Defendants.

Case No. 07-13143

Bernard A. Friedman
United States District Judge

Michael Hluchaniuk
United States Magistrate Judge

ORDER ON DISCOVERY MOTIONS (Dkt. 199, 203, 205, 210, 220)

Five discovery related motions are before the Court: the Roberts' defendants motion to compel discovery from plaintiff Quicken Loans (Dkt. 199); Quicken Loans' motion to compel discovery from Ralph Roberts (Dkt. 203); Quicken Loans' motion to compel discovery from Kathleen Roberts (Dkt. 205); the Roberts defendants motion to compel discovery from Quick Loans (Dkt. 210); and the Roberts defendants motion to quash (Dkt. 220). These motions were referred to the undersigned by District Judge Bernard A. Friedman for hearing and determination. (Dkt. 200, 204, 206, 211, 221). The Court held a hearing on these motions on December 21, 2009. For the reasons stated on the record, the Court makes the following rulings:

(1) As to the motion to compel filed by the Roberts defendants (Dkt. 199), counsel for the Roberts defendants must submit an order stating that the requests to

admit served on Vuk Jovanovic are deemed admitted based on Mr. Jovanovic's failure to timely respond as required by Rule 36(a)(3). Otherwise, this motion is **DENIED** without prejudice.

(2) As to the motions to compel filed by Quicken Loans (Dkt. 203 and 205), the *in camera* submissions will be reviewed by the Court and a decision made via separate order with respect to defendants' claims of privilege and lack of relevance.

(3) As to the motion to compel filed by the Roberts defendants (Dkt. 210), plaintiff's counsel is directed to file certifications, consistent with Rule 26(g)(1), regarding its previous answers to the Roberts defendants' Interrogatory Nos. 1 and 2, as well as Document Request Nos. 9, 21 and 23, by **December 28, 2009**. The Roberts defendants' motion to compel as to Interrogatory Nos. 9 and 10 is **DENIED**. As to Document Request Nos. 4 and 6, plaintiff's counsel is directed to (a) submit to counsel and the Court a revised privilege log (consistent with the Court's ruling on the record); and (b) submit to the Court the documents for which the privilege is asserted for *in camera* review by January 15, 2010.

(4) The Roberts defendants' motion to quash (Dkt. 220), is **DENIED**.

IT IS SO ORDERED.

The parties to this action may object to and seek review of this Order, but are required to file any objections within 14 days of service as provided for in Federal Rule of Civil Procedure 72(b)(2). A party may not assign as error any defect in

this Order to which timely objection was not made. Fed.R.Civ.P. 72(a). Any objections are required to specify the part of the Order to which the party objects and state the basis of the objection. Pursuant to Local Rule 72.1(d)(2), any objection must be served on this Magistrate.

Date: December 22, 2009

s/Michael Hluchaniuk
Michael Hluchaniuk
United States Magistrate Judge

CERTIFICATE OF SERVICE

I certify that on December 22, 2009, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send electronic notification to the following: Thomas M. Hanson, Vuk Jovanovic, Stephen W. King, David L. Kull, Jack J. Mazzara, Thomas J. Murray, Charity A. Olson, Tricia L. Roelofs, Matthew D. Smith, Michael J. Smith, Peter S. Tangalos, and Deborah M. Weihermuller, and I certify that I have mailed by United States Postal Service the paper to the following non-ECF participant(s): Calvin Roberts, 1770 NE 191st Street, Apt. 705-1, Miami, FL 33179.

s/Tammy Hallwood
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